

TOWN BOARD

The Town Board, Town of Highlands, held a public hearing and regular meeting on Monday, February 22, 2016 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

PRESENT: Mervin R. Livsey ---- Supervisor
William Edsall ---- Council Member
Tyrone King ---- Council Member
June Gunza ---- Council Member
Adrienne T. Voltaire ---- Council Member (arrived 7:05)

PUBLIC HEARING – Residency Requirements

Supervisor Livsey opened the public hearing on Local Law #1 of 2016 “Residency Requirements for Certain Offices in the Town of Highlands”.

Public Comment

No public comment.

Council Member Gunza made a motion seconded by Council Member Edsall to close the public hearing. Public hearing closed at 7:02pm.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

REGULAR MEETING

PUBLIC COMMENT

No public comment

MINUTES

Council Member Edsall made a motion seconded by Council Member King to approve the minutes from the February 8, 2016 Town Board meeting.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza)
0-nays
1-absent (Voltaire)

COMMUNICATIONS

Supervisor Livsey said he sent a letter to COL Dunham asking why Mine Torne Rd was closed. The Supervisor received a reply that stated the Colonel was not sure why it was closed, but it was temporary.

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Supervisor Livsey said he received a letter from Doris Koziak asking that the Dispatch department remain the same.

Supervisor Livsey stated that he received a letter from a “concerned citizen” who disagreed with something that was on the Town website. The Supervisor said he agreed with the citizen and took the post down. The Supervisor asked that if anyone had a concern they could see him and didn’t need to be anonymous.

Supervisor Livsey said the Girl Scouts Heart of the Hudson’s Gold Award Ceremony will be held on March 13, 2016 at West Point from 1:45 to 3:15. The Supervisor said the Board is invited and they must RSVP if they want to be recognized at ceremony.

Supervisor Livsey stated that the Orange County Department of Planning has invited the Board to attend a meeting to learn how municipalities can be more sustainable. The Supervisor said this will take place on February 29 at 7:00pm at the Emergency Services Building in Goshen.

FINANCIAL

Cash Audits

Ms. Blauvelt said all cash audits have been done and everything is okay.

Ms. Blauvelt stated the Court audit has been done pursuant to the Uniformed Court Act Section 19-a. Ms. Blauvelt further stated that all the records have been reviewed and the fines collected have been turned over to the proper Town officials as per Town Comptroller.

AUD

Ms. Blauvelt said she is working on the AUD and does not see any problem having it filed by the March 31st deadline.

Supervisor Livsey explained the AUD to Council Member King.

Budget Transfer

Council Member Voltaire made a motion seconded by Council Member Gunza to transfer \$308 from General Liability to Zoning Legal.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
 0-nays**

BOARD/DEPARTMENT REPORTS

Recreation

Mr. Falk asked the Board to allow him to have a petty cash fund of \$100. Mr. Falk said he didn’t think he would need it, but he does.

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Council Member King made a motion seconded by Council Member Voltaire to authorize the Recreation Director to have \$100 in petty cash.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Supervisor Livsey asked Mr. Falk to get the Board a more specific cost for the background check program.

Mr. Falk said basketball will be finishing next week and the only team that will receive trophies will be the first place team. Mr. Falk said all other teams will receive a drawstring bag and small basketball which will have the new logo on them.

Supervisor Livsey said he received an email about a tree down on the Brooks Lake trail and he asked Mr. Patterson to take a look at that.

Council Member Edsall

Council Member Edsall said the Consolidation meeting was held Thursday and it was an opportunity to explain everything to the public. Mr. Edsall said a lot of EMS workers were at the meeting.

Council Member Edsall stated that he provided the Board with a copy of a letter requesting financial data. Mr. Edsall said he gave it to Ms. Blauvelt to get together and also provided the Highway Dept. and Police Dept. with a copy.

Council Member Edsall said he spoke to the Assessor regarding West Point renting to the public.

Council Member King

Council Member King reported that he attended the Association of Towns meeting last week and it was a great experience and he met a lot of nice people.

Council Member King stated there was an Emergency Management meeting to get processes updated. Mr. King said the Committee is looking for a Coordinator and he would like to bring his military experience and help Council Member Gunza.

Council Member King said he received information about training on Being Prepared for a Disaster on February 24 from 9-11am at the Emergency Services building in Goshen.

Council Member Gunza

Council Member Gunza reported that the Emergency Management meeting was good and she was looking forward to the Committee getting back on its feet and for Council Member King to be involved.

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Council Member Voltaire said she has a flyer on the training Council Member King spoke about.

Council Member Gunza said she and Council Member King met with Chief Quinn and agreed on a candidate for the part-time Police officer position. Ms. Gunza said the information was put in the Council Member's boxes.

Council Member Gunza said they also spoke about the request for a Leave of Absence and agreed on a 2 month leave to be reviewed after that 2 months.

Council Member Voltaire

Council Member Voltaire stated that she printed the flyer about the training on Wednesday.

Council Member Voltaire said the School Board are into their budget season and will be having meetings.

Council Member Voltaire said there will be a Star Gazing presentation at O'Neill on Thursday night.

Council Member Voltaire stated that The Center is still looking for volunteers. Ms. Voltaire further stated that The Center will be having a Summer Enrichment Program for grades 5-9 at a low cost to the participants.

ATTORNEY'S REPORT

Mr. Rider said he spoke to the Assessor about the tax issue.

SUPERVISOR'S REPORT

Supervisor Livsey thanked the Board for getting involved.

Supervisor Livsey said that Capt. Byrnes is doing a lot of paperwork at the Ambulance building.

GENERAL BUSINESS

Resolution – Local Law #1 of 2016

Supervisor Livsey said this Local Law affects the Highway Superintendent, Comptroller and Building Inspector.

Council Member King made a motion seconded by Council Member Voltaire to adopt the resolution of SEQR Designation & Determination for Local Law #1 of 2016 "Residency Requirements for Certain Offices in the Town of Highlands.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
 0-nays**

******RESOLUTION ATTACHED******

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Council Member Edsall made a motion seconded by Council Member Voltaire to adopt Local Law #1 of 2016 "Residency Requirements for Certain Offices in the Town of Highlands.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Public Hearing – Time Warner Cable Agreement

Supervisor Livsey said the last agreement was signed in 1994 and a new one needs to be done. The Supervisor said he would like to set a public hearing to approve the agreement, although he is not in favor of it.

Council Member Edsall made a motion seconded by Council Member Gunza to set a public hearing for the Time Warner Cable agreement on March 14, 2016 at 7:00pm.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

List – Employees Finished with Probation

Supervisor Livsey read the names of the employees who have finished their probationary period and those who will complete probation in the near future.

Resolution – Space Use Agreement

Council Member King made a motion seconded by Council Member Voltaire to authorize Supervisor Livsey to sign the Space Use Agreement for the Holy Innocents Church.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Resolution – DWI Agreement

Council Member Edsall made a motion seconded by Council Member Voltaire to authorize Supervisor Livsey to sign the agreement with Orange County for Stop DWI Program Services.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

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Police Officer Hire

Supervisor Livsey said a Peter Monroe was interviewed by Chief Quinn, Council Member Gunza and Council Member King. The Supervisor asked what their opinion was of Mr. Monroe.

Council Member Gunza said he is a nice young man and she feels confident he will do a good job.

Council Member King said he liked him also.

Council Member Gunza made a motion seconded by Council Member King to hire Peter Monroe as a part-time police officer at the starting salary and maximum probation period.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Court Attendant

Supervisor Livsey said Sam Naemit refused to resign, but has returned all his equipment and Chief Quinn is requesting he be removed from the roster.

Council Member Voltaire made a motion seconded by Council Member Gunza to remove Sam Naemit from the position of Court Attendant.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Select Telecom Agreement

Council Member Edsall made a motion seconded by Council Member Voltaire to authorize Supervisor Livsey to sign the agreement with Select Telecom.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Leave of Absence – Officer Huff

Council Member Gunza explained that Officer Huff has taken a full time job and has asked for time off for training. Ms. Gunza said she discussed this with Chie Quinn and decided on a 2 month leave, reviewed after the 2 months.

Supervisor Livsey said he spoke to the officer and he recommends that the leave is granted.

Council Member King made a motion seconded by Council Member Gunza to grant Officer Huff a 2 month leave of absence, which will be reviewed at the end of the 2 months.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

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ANY OTHER BUSINESS

Supervisor Livsey said the Highway Supt. is looking into the LENS program which will monitor the drivers' licenses of all employees who drive Town vehicles.

Council Member Edsall said, at the Consolidation meeting, people asked who would be paying for this. Mr. Edsall said the Village has put up their portion. Mr. Edsall explained that the Village is getting \$40,000 and they have put in about \$20,000.

Ms. Blauvelt said the Town has a Youtube account and the Town Board meetings can be watched on there.

Ms. Blauvelt stated that she will be going to New Windsor to take part in a financial software demonstration. Ms. Blauvelt explained that there have been major problems, recently, with KVS.

Council Member King said there was a lot of activity in the Village this weekend.

PUBLIC COMMENTU

No public comment.

Mr. Falk informed everyone that on March 2, there will be a Maroon and Gold all-star basketball game.

ADJOURN

Council Member Voltaire made a motion seconded by Council Member Edsall to adjourn the meeting. Meeting adjourned at 7:52pm.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Attest,

RESOLUTION
OF
FEBRUARY 22, 2016
RESOLUTION OF SEQR DESIGNATION
AND DETERMINATION
INTRODUCTORY LOCAL LAW #1 OF 2016
A LOCAL LAW PROVIDING FOR THE RESIDENCY
REQUIREMENTS FOR CERTAIN
OFFICES OF THE TOWN OF HIGHLANDS

Council Member **King** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, the Town Board of the Town of Highlands adopted a resolution on the 25th day of January, 2016 ordering a public hearing to be held on the 22nd day of February, 2016 at 7:00 o'clock p.m., prevailing time, to hear all interested parties on proposed Introductory Local Law #1 of the Year 2016 entitled "A Local Law Providing for the Residency Requirements for Certain Offices of the Town Highlands;" and

WHEREAS, the Town Board has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed adoption of Introductory Local Law #1 (the "Action"); and

WHEREAS, the Town Board has determined that the Action is an unlisted action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law, and accordingly does not require a coordinated review; and

WHEREAS, the Town Board has heretofore reviewed the EAF together with any other supporting information, and analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects.

NOW THEREFORE, BE IT RESOLVED:

1. The Town Board does determine that the adoption of Introductory Local Law #1 of the Year 2016 entitled “A Local Law Providing for the Residency Requirements for Certain Offices of the Town Highlands,” is an unlisted action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law and does not require a coordinated review.

2. The Town Board does further determine that it is the single involved agency and as it is proposing to directly undertake the Action does further declare itself the lead agency for the purpose of conducting a review of this Action and determines that said Action will not have a significant adverse environmental impact and, therefore, does issue a negative declaration.

3. The Town Board hereby authorizes the Supervisor to execute and file the Environmental Assessment Form and Negative Declaration attached hereto in accordance with the applicable provisions of law.

4. The Town Clerk shall maintain the EAF, Negative Declaration and all other SEQR documents and notices pertaining to the Action on file and available to the public during regular business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on February 22, 2016.

June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 22, 2016

A RESOLUTION TO ADOPT
A LOCAL LAW PROVIDING FOR THE RESIDENCY
REQUIREMENTS FOR CERTAIN
OFFICES OF THE TOWN OF HIGHLANDS

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, the Town Board of the Town of Highlands adopted a resolution on the 25th day of January, 2016 ordering a public hearing to be held on the 22nd day of February, 2016, at 7:00 o'clock p.m., prevailing time, to hear all interested parties on proposed Introductory Local Law #1 of the Year 2016 entitled "A Local Law Providing for the Residency Requirements for Certain Offices of the Town Highlands;" and

WHEREAS, a notice of Public Hearing was duly advertised on the 5th day of February, 2016 in The News of the Highlands and posted on the Town Clerk's sign board on the 26th day of January, 2016; and

WHEREAS, the Public Hearing was duly held on the 22nd day of February, 2016 at 7:00 o'clock p.m., at Town Hall, 254 Main Street, Highland Falls, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the Town Board of the Town of Highlands has conducted an environmental review of the proposed adoption of the Local Law under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQRA") and has determined that said action will not have an adverse environmental impact and, accordingly, issued a negative declaration; and

WHEREAS, the Town Board of the Town of Highlands, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Highlands hereby adopts said Local Law #1 of the Year 2016 entitled "A Local Law Providing for the Residency Requirements for Certain Offices of the Town Highlands."

2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Highlands and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk

RESOLUTION

OF

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A RESOLUTION TO SCHEDULE
A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING
A CABLE FRANCHISE RENEWAL AGREEMENT
WITH TIME WARNER CABLE

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Gunza**.

WHEREAS, the Town of Highlands is a party to a franchise agreement with Time Warner Cable to provide cable service within the Town of highlands; and

WHEREAS, the Town is considering a renewal of the cable franchise agreement in accordance with Federal regulations, the applicable provisions of the New York State Public Service Law and the rules and regulations of the Public Service Commission; and

WHEREAS, the Town Board intends to establish its cable related community needs with respect to cable service in order to negotiate a renewal agreement; and

WHEREAS, the Town Board is desirous of obtaining public input with respect to past performance; equipment and facilities; franchise fees; public, educational and governmental access; service to schools and public buildings; right of way management and safety; consumer protection; and accountability standards and procedures; now therefore

BE IT RESOLVED, that the Town Board shall hold a public hearing to receive comments concerning the renewal agreement and the aforementioned issues on March 14, 2016 at 7:00 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication and posting.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 22, 2016

A RESOLUTION OF THE
THE TOWN OF HIGHLANDS TO
AUTHORIZE EXECUTION OF AN AGREEMENT
BETWEEN THE TOWN OF HIGHLANDS
AND ORANGE COUNTY FOR
STOP DWI PROGRAM SERVICES

Council Member **King** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, the County of Orange in the State of New York (the “County”) has proposed an Agreement (the “Agreement”) with the Town of Highlands Police Department the purpose of which is to promote additional police road patrols to detect impaired/intoxicated drivers;

WHEREAS, the Town Board has reviewed the terms and conditions of the Agreement and deems it to be in the public interest for the Town of Highlands to enter into the Agreement.

NOW, THEREFORE, BE IT RESOLVED; that the Supervisor be and he hereby is authorized and directed to execute the Agreement; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the Agreement; and

BE IT FURTHER RESOLVED that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 22, 2016

**RESOLUTION TO AUTHORIZE THE SIGNING OF THE
SPACE USE AGREEMENT FOR THE USE OF THE
HOLY INNOCENTS CHURCH FOR SENIOR DINING**

Council Member **King** moved the following which was seconded by Council Member **Voltaire**.

BE IT RESOLVED, that Supervisor Livsey is hereby authorized to sign the Space Use Agreement for the use of the Holy Innocents Church for the Senior Dining Program.

The question of the adoption of the foregoing resolution was duly put to a vote of the Board which resulted as follows:

Mervin R. Livsey, Supervisor	voting: Aye
June Gunza, Council Member	voting: Aye
Adrienne T. Voltaire, Council Member	voting: Aye
William Edsall, Council Member	voting: Aye
Tyrone King, Council Member	voting: Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on February 22, 2016.

June Patterson, Town Clerk